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STATUTORY INSTRUMENTS

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**2017 No. 588**

**The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017**

**Amendment of regulation 16**

**15.**—(1) Regulation 16 (publicity) is amended as follows.

(2) For paragraph (1) substitute—

“(1) The appropriate authority must, as soon as reasonably possible, publicise the application and the environmental statement in respect of the project to which it relates or, as the case may be, any further information provided by the applicant pursuant to a notification under regulation 14, by—

- (a) publishing a notice containing the information set out in paragraph (2) on the appropriate authority’s website; and
- (b) publishing, or directing the applicant to publish, the notice—
  - (i) in two successive weeks, in such newspapers or other publications as the authority thinks fit; or
  - (ii) in such other manner (if any) as the authority considers appropriate.”

(3) In paragraph (2)—

(a) for sub-paragraph (d) substitute—

“(d) the fact that the project is subject to an environmental impact assessment and, where relevant, that regulation 18 applies;”;

(b) after sub-paragraph (d), insert—

“(da) details of the appropriate authority responsible for making the EIA consent decision and, where the appropriate authority is not the regulator, details of the regulator;

(db) the nature of possible decisions, including any decision to grant regulatory approval;”;

(c) for sub-paragraph (e) substitute—

“(e) the address of an office of the appropriate authority, or other place nominated by the appropriate authority, at which the documents listed in paragraph (2A) may be inspected free of charge at all reasonable hours within 42 days beginning with the date of first publication of the notice under paragraph (1)(b)(i);”;

(d) for sub-paragraph (f) substitute—

“(f) the contact details of the appropriate authority for obtaining copies of the documents listed in paragraph (2A) and, if a charge is to be made for a copy, the amount (not exceeding a reasonable charge for copying), of the charge;”;

(e) in sub-paragraph (g), for the words from “with the date of” to the end substitute “with the date of first publication of the notice under paragraph (1)(b)(i); and”;

(f) after sub-paragraph (g), insert—

“(h) details of the arrangements for public participation in accordance with Schedule 5.”.

(4) After paragraph (2), insert—

“(2A) The appropriate authority must take steps to secure that the following documents relating to the application are made available for public inspection at all reasonable hours at the address referred to in paragraph (2)(e)—

- (a) any screening opinion given in accordance with regulation 11 and Schedule 2;
- (b) any scoping opinion given in accordance with regulation 13 and Schedule 4 (including any written statement of reasons);
- (c) the environmental statement and any further information provided by the applicant pursuant to a notification under regulation 14; and
- (d) in accordance with national legislation, the main reports or advice issued to the appropriate authority at the time when the public concerned is first notified under paragraph (1).

(2B) The appropriate authority must ensure that the documents listed in paragraph (2A) are electronically accessible to the public, through at least an appropriate central portal or easily accessible points of access.

(2C) The applicant must ensure that a reasonable number of copies of the environmental statement and any further information provided by the applicant pursuant to a notification under regulation 14 are available at the address notified under paragraph (2)(e).”.